

[RESCINDED]

DEPARTMENT OF ENERGY
DELEGATION ORDER NO. 0204-38
TO
THE REGIONAL REPRESENTATIVES

Pursuant to the authority vested in me as Secretary of Energy by section 642 of the Department of Energy Organization Act (Pub. L. 95-91), and by “Standby Conservation Plan No. 2, Emergency Building Temperature Restrictions (the Plan), there is hereby delegated to each Regional Representative the authority in his or her region to:

1. Obtain requests for delegations of authority under the Plan from Governors of States and Territories within his or her region;
2. Award grants to States and Territories containing the provisions set forth in the attached “Statement of Grant Conditions.”
3. Conduct compliance inspections and reinspections of buildings and related activities which are subject to the requirements of the Plan and the DOE regulations implementing the Plan (44 F.R. 39354, July 5, 1979) (the Regulations) and perform investigatory activities in connection therewith.
4. Issue Notices of Violation to persons found to be in violation of the requirement of the Plan and the Regulations, with concurrence of Regional Counsel, in accordance with Subpart F of the Regulations.
5. Issue Violation Orders, Violation Orders for Immediate Compliance, Stays Pending Judicial Review, Consent Orders and Modification or Recission Decisions with concurrence of Regional Counsel, in accordance with Subpart F of the Regulations.
6. Accept Consent Orders and compromise, settle and collect civil penalties with concurrence of Regional Counsel, in accordance with Subparts F and G of the Regulations.
7. Request Regional Counsel to refer to the Department of Justice appropriate civil or criminal enforcement actions in accordance with Subpart F and G of the Regulations.
8. Further delegate these authorities, in whole or in part, as appropriate, with concurrence of Regional Counsel.
9. Take such other action as may be necessary and appropriate to carrying out the authorities delegated herein.

